

## AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKFILE NO.: 078525  
FILED ON: 10/4/2007 CASE NO.: 07CIV8604

AMERICAN INSURANCE COMPANY A/S/O MARIAH CAREY

Plaintiff(s)-Petitioner(s)

-VS-

CORN ASSOCIATES LLC, THE FRANKLIN TOWER CONDOMINIUM, KATZ METAL FABRICATORS INC.,  
OLYMPIC PLUMBING AND HEATING III CORP., AND SAMCO PLUMBING, INC.

Defendant(s)-Respondent(s)

STATE OF NEW YORK}  
COUNTY OF SCHENECTADY ss.}

I, Mark E. McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State.

On OCTOBER 10, 2007

at 10:55 A.M.

Deponent served a true copy of

SUMMONS IN A CIVIL ACTION, COMPLAINT WITH JURY TRIAL DEMANDED, RULE 7.1 DISCLOSURE STATEMENT, NOTICE, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J PECK, CONSENT TO PROCEED, INDIVIDUAL PRACTICES OF JUDGE WILLIAM H PAULEY III, GUIDELINES FOR ELECTRONIC FILING

bearing index number: 07CIV8604 and date of filing: 10/4/2007

upon **KATZ METAL FABRICATORS INC.**at address: **SECRETARY OF STATE, 41 STATE STREET**City & State: **ALBANY, NY 12207**MANNER OF SERVICE}Personal

- ☐
- By delivering to and leaving with personally} known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

Suitable Age Person

- ☐
- By delivering and leaving with personally} at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

Authorized Agent

- ☒
- By delivering and leaving with}
- CAROL VOGT**
- the agent for service on the person in this proceeding designated under Rule 306 BCL . Service having been made to such person at the place, date and time above.

Affixing to Door, Etc.

- ☐
- By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above.
- 
- ☐
- Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the following dates and times:

Mailing

- ☐
- Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential" and mailed to the person stated above at address on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action against the recipient. The envelope was mailed by
- first class mail
- certified mail
- registered mail
- return receipt requested
- .

Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or the United States as the term is defined in either State or Federal statutes.

DESCRIPTION} deponent describes the person actually served as:

Sex: FEMALE

Race/Skin Color: WHITE

Approximate Age: 53 years Approximate Height: 5'4"

Other:

Hair Color: BROWN

Approximate Weight: 125 pounds

Subscribed and sworn before me on} OCTOBER 10, 2007

Karen E. Rock #01R06065213  
Notary Public, State of New York  
Qualified in Schenectady County  
Commission Expires: 10/09/2009Kathryn A. Rock-McClosky  
Commissioner of Deeds  
Qualified in Schenectady County  
Commission Expires: 08/27/2004Attorney Info:  
Cozen O'Connor  
45 Broadway, 16th Floor  
New York, NY 10006  
212-509-9400Mark E. McClosky  
Deponent

affidavit number: 200770074

FIRM FILE #19612

State of New York - Department of State  
Receipt for Service

Receipt #: 200710100383

Cash #: 200710100358

Date of Service: 10/10/2007

Fee Paid: \$40 - CHECK

Service Company: [REDACTED]

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS  
CORPORATION LAW

Party Served: KATZ METAL FABRICATORS INC.

Plaintiff/Petitioner:

AMERICAN INSURANCE COMPANY

Service of Process Address:

KATZ METAL FABRICATORS INC.

434 E 165TH ST

BRONX, NY 10456

Secretary of State  
By CAROL VOGT